

**Fishers Board of Zoning Appeals - Fall Creek
Minutes
May 25, 2023**

The public may [stream the meeting online](#).

Members of the public may [submit comments online](#) before 12pm on Monday, January 1, 0001.

BOARD/COMMISSION: Board of Zoning Appeals - Fall Creek Meeting

DATE: 5/25/2023

DIRECTIONS: In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid (i.e. interpreters) and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should [email Kelly Lewark](#), Office Manager, no later than 48 hours before the scheduled event or call at (317) 595-3487.

Fishers Pavilion Conference Room, 10 Municipal Drive, Fishers, Indiana 46038

1. Call to order / Pledge of Allegiance

- Members present: Steve Richards, Chris Huck, Rich Bassett, Joel Fenske.
- Others present: Rodney Retzner, Megan Vukusich, Tracy Gaynor, Kay Prange, Prem Pothuri, Sandra Chavalz, Mani Subramaniam, Ramesh Krishnamuithy, Keerthivasan Srinivasan, Andy Wert, Hemanalini Dwa (sp?), Venkatesh Ramasubraman, Doug Allma

2. Roll Call

3. Election of Officers, Appointments, and Designations

a. Election of Chairperson

Rich Bassett nominated Steve Richards as Chairperson, seconded by Joel Fenske. The Nomination was approved, 4-0.

b.

- Election of Vice-Chairperson

Steve Richards nominated Rich Bassett as Vice-Chairperson, seconded by Joel Fenske. The Nomination was approved, 4-0.

c. Appointment of Recording Secretary (Kay Prange, Kelly Lewark)

Steve Richards appointed Recording Secretaries, seconded by Joel Fenske. Approved, 4-0.

d. Designation of BZA Legal Counsel (Krieg DeVault)

Appointment by Steve Richards, seconded by Rich Bassett. Approved, 4-0.

- e. Appointment of Secretaries (Megan Vukusich, Ross Hilleary)

Steve Richards appointed Staff Secretaries, seconded by Rich Bassett. The Appointment was approved, 4-0.

4. Designation of Commission Legal Publications (Noblesville Times and The Current)

Appointed by Steve Richards, seconded by Rich Bassett. Approved, 4-0.

5. Approval of Previous Minutes

- a. 10-27-22

Minutes from the October 27, 2022, meeting were approved, 4-0. Mr. Richards made a Motion to approve, seconded by Mr. Fenske.

6. Public Hearings

- a. Jai Hanuman Temple Special Exception

- **Parcel:** 13-12-31-00-00-024.001
- **Address:** 12323 Cyntheanne Rd.
- **Case:** Special Exception 103574
- **Request:** Consideration of a Special Exception to allow for a place of worship use on a property zoned R2.
- **Petitioner:** Andrew Wert (awert@cchalaw.com) for Keerthi Srinivasan

Andrew Wert with CCHA, representing the Jai Hanuman Temple organization, presented the Special Exception on behalf of Keerthi Srinivasan for an unoccupied home, Zoned R2, to be used as a place of worship for the community. All services/classes will be by appointment only. The request is described as temporary, although temporary is not defined. Megan Vukusich presented the Staff Report. A house of worship is permitted in an R2 with special conditions. The main concern is the proposed ROW. The home sits on the existing ROW. There is a safety concern. There are no current plans to expand the road. Staff recommends denial. The property is next to the Fall Creek Marketplace PUD development. Corby Thompson has asked for the proximity requirements to be waived.

Mr. Richards opened the Public Hearing portion of the meeting. The following residents spoke in favor of the Special Exception.

- Prem Pothuri (11611 Cakmanor Way)-
- Sandra Chavalz (11611 Cakmanor Way)-
- Mani Subramaniam (11905 Bengals Dr.)-
- Ramesh Krishnamuithy (14340 Greenbelt Ct.)-
- Keerthivasan Srinivasan (14466 Bramkrist Dr.)-
- Hemanalini Dwa (sp?) (10079 Bent Tree Ln.) -

- Venkatesh Ramasubraman (10079 Bent Tree Ln.)-

All speakers referenced the growth of the Hindu population in Fishers, that the plans will be transparent, and that this temple means a lot to the community. Mr. Srinivasan added that the temple will be open for everybody and that the location will be closer to the Fishers community than the Temple on German Church Road.

Mr. Richards closed the Public Hearing.

In Board discussion:

- Temporary is not defined - that is a cause for concern and can have unforeseen problems
- Safety concerns are considerable.
- Adjacent parcel is not currently available
- Only Cyntheanne Road serves this site – can a stub to the Thompson property be an option
- There is no timeframe to the Thompson PUD
- The property cannot temporarily be used with a gravel lot
- Parking on grass temporarily is not allowed
- Can it be approved with condition on paved parking
- Ms. Vukusich asked if a Civil Engineer has discussed detention with the county- No
- Mr. Richards asked about considering a better facility. There are too many open-ended questions, such as ROW, parking, timing, fund raising.

Mr. Richards made a Motion to continue to the July 27, 2023, FCBZA meeting. The Board is asking for a phased plan for the parking lot, detention design, and for the Petitioner to discuss an access easement with the Thompson property. The Motion was seconded by Mr. Bassett. The Motion was approved, 4-0.

7. Staff Communication

8. Findings of Fact

9. Adjournment

As there was no other business, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,



Jennifer L. Kehl
Fishers City Clerk